

**MINUTES**  
**MICHIGAN STATE TRANSPORTATION COMMISSION MEETING**  
**March 22, 2001**  
**Lansing, Michigan**

Meeting noticed in accordance with Open Meetings Act, Public Act 267 of 1976.

Present:     Barton LaBelle, Chairman  
              Ted Wahby, Commissioner  
              Lowell Jackson, Commissioner  
              John Garside, Commissioner

Charles Krupka, Commission Advisor  
Jerry Jones, Commission Auditor  
Vickie Plummer, Executive Secretary  
Susan Keldsen, Commission Office  
Pat Isom, Assistant Attorney General  
Philip Kazmierski, Bureau of Urban and Public Transportation  
Greg Rosine, Director  
Barb Hayes, Chief Administrative Officer  
Wayne Niles, Bureau of Finance and Administration  
Tom Maki, Chief Operations Officer  
Gary D. Taylor, Bureau of Highway Technical Services  
Louis Lambert, Bureau of Transportation Planning  
Douglas Novak, Office of Legislative Affairs  
William Gehman, Bureau of Aeronautics

Absent:     Jack Gingrass, Vice Chairman  
              Betty Jean Awrey, Commissioner

A list of those people who attended the meeting is attached to the official minutes.

Chairman LaBelle called the meeting to order at 9:15 a.m. in the Bureau of Aeronautics Auditorium, Lansing, Michigan.

**COMMISSION BUSINESS**

Commission Minutes

It was moved by Commissioner Wahby, with support from Commissioner Jackson, to approve the minutes of February 22, 2000, as submitted. The motion carried on a unanimous voice vote.

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## **PRESENTATIONS**

### **MDOT Update on I-275 Noise Concerns**

Prior to the presentation by Greg Rosine, Director, Michigan Department of Transportation (MDOT), Chairman LaBelle noted that the Commission will not make any decisions on the I-275 noise issue today, but will take the suggestions made by MDOT under advisement. The Chairman also asked that, in consideration of time, any public comments be brief and limited to new information, and not be redundant of points made at previous meetings.

Director Rosine summarized the following I-275 noise mitigation options. Option one is to do nothing at this time, which is not responsive to the resident's expectations. This option would allow for natural wear on the tined surface to reduce noise levels, and would avoid affecting the five-year warranty on the newly constructed pavement. Option two is longitudinal grinding of the pavement surface at an estimated cost of \$1.5 million. Because the existing contract for I-275 has not been made final, this work could be added to the contract as extra work. It is estimated that there would be a three-decibel noise reduction and there would be minimal impact to traffic by doing grinding at night and on weekends.

This option may affect the five-year warranty outstanding on I-275. Option three is to provide landscaping with trees and shrubs outside the ditch area at an estimated cost of \$1 million. This would provide a visual break but would have little effect on noise reduction. Option four is to install noise walls or berms at an estimated cost of \$16 million. Noise walls would affect a very limited number of residences which are very close to the wall. The Department has an existing Type II list of possible noise walls and this location does not qualify for a noise wall under the Department's current policy. To construct a noise wall at this location would affect other locations currently on the list that are close to highways. Funding sources have not yet been identified and should be discussed in an overall state noise wall policy. Constructing berms would require additional right-of-way be acquired from existing homes along I-275 and would require some removal of existing trees. Option five is an overlay with a bituminous pavement at an estimated cost of \$8 million. This option would void the five-year warranty on existing construction. The asphalt industry has suggested they would provide a seven-year performance warranty, but there will be additional maintenance requirements beyond that period of time. This would also require additional guardrail, raising guardrail heights and possible ditch grading. With a five-inch overlay under the bridges the asphalt would have to be feathered down, which questions the effectiveness and durability of the asphalt.

The Director continued that there is a question of where funding for noise walls will come from. The Department has published a five-year program and has been diligent in sticking to this program. If the Department is expected to take on one of the more expensive

options, a considerable amount of road preservation projects would have to be deleted from the current plan or be delayed.

Commissioner Jackson questioned the alternative of reducing the speed limit to 55. Mr. Rosine reported that discussions with the State Police indicate that a speed limit of 55 cannot be achieved because 85 percent of traffic exceeds that limit, but the Department could ask for additional enforcement in this area.

Commissioner Wahby questioned how the Department will know if any of these options will work prior to deciding which option to use. Mr. Rosine responded that past experience in other areas can influence decisions, but nothing can guarantee the outcome in this specific area. The asphalt industry has suggested a warranty that would include a level of noise reduction, and it is expected that diamond grinding will reduce noise levels by three decibels. Many factors, including the amount of traffic, type of traffic, level of truck traffic versus automobiles, type of vehicles and tires, all have an effect on noise. The condition of the roadway has affected the speed of traffic, which was lower prior to reconstruction because of the failing roadway and some traffic finding alternate routes. Commissioner Wahby asked what assurance the Department has that spending millions of dollars on any of the options will reduce noise levels in this area. The Director explained that the Department can provide their expectations of each option, but in this situation there is an issue of public perception and an annoyance factor which cannot be measured.

Joan Barber, a resident of Northville, expressed her concern that she has experienced noise problems since I-275 was originally constructed.

Dennis Snyder, a resident of Livonia, expressed concern for the recommendations made by Mr. Rosine, and played a recording of the noise he taped from the I-275 area.

Larry Shoup, a resident of Northville, expressed his view that road noise is not just an annoyance issue, but a health risk issue. Mr. Shoup expressed interest in what the bituminous impact would be in terms of road noise reduction, and he questioned if the options could be evaluated by value of cost beyond a three-decibel gain. Mr. Rosine responded that with placement of a gap-graded stone mastic asphalt, it has been suggested that a six-to-eight decibel reduction may be expected, which again is highly dependent on types of traffic on the roadway.

Jon Churgay, a resident of Northville, thanked the Commission and Mr. Rosine for providing possible steps that can be taken to resolve this issue. He expressed concern on what possibility existed that anything could be done on this section of roadway within the next six months because of budget issues. Mr. Rosine reminded the residents that the lack

of immediate action is not a lack of commitment by the Department, but choices have to be made if other projects will be moved around to accommodate costs from this project.

Chairman LaBelle explained that the Commission mandated MDOT to publish their five-year plan to make the public aware of what resources would be spent in future years, and what projects had been scheduled with those resources. This list is published and citizens have come to expect the projects listed within their areas will be done. The Chairman furthered that if the Department starts moving money around to areas that have not been scheduled in this plan, other projects will be moved around upsetting people in those areas where projects have already been scheduled. This Commission must balance the concerns of citizens throughout the State of Michigan. To date, no decision has been made by this Commission that anything will be done in this area. The list of options presented by Mr. Rosine today were only possible recommendations made by the Department to the Commission. It is the responsibility of the Commission to go through a process of making decisions on the benefits/costs for this project, and what precedent this type of decision will set for the rest of the State.

Sandra Carroll, a resident of Livonia, expressed concern that \$53 million was spent on the I-275 reconstruction project and questioned if consideration was made to MDOT's criteria of 67 decibels prior to completion of this project. Ms. Carroll would like to see the source of the problem addressed and asked the Commission to take into consideration all recommendations made today, in a timely manner.

Chairman LaBelle asked the Department for clarification of the 67-decibel level. Gary Taylor, Chief Engineer/Deputy Director, Bureau of Highway Technical Services, explained the 67-decibel requirement is part of the federal aid criteria for noise abatement. The reason that this decibel level did not apply to the I-275 project is because capacity was not increased on that roadway. The Department did comply with the established noise requirements for this project.

The Chairman asked if an aerial map was available to determine the level of residential development adjacent to the freeway prior to construction. Commissioner Jackson explained the map he reviewed shows approximately two dozen homes within 500 feet outside the highway right-of-way prior to construction of I-275. The Commissioner also expressed concern that increased noise may be caused by an increase in traffic.

Commissioner Jackson also expressed concern about a letter received from Senator Bullard which says undeveloped property near the right-of-way north of Eight Mile Road has been zoned, by the local zoning authority, for single-family residential development. The letter furthered that the developer currently has plans to start construction on this property. The Commissioner expressed his belief that the zoning

agencies and developers have some responsibility to protect the public right-of-way and the citizens that will build homes there. Chairman LaBelle noted concern on what responsibility the State has to people who move into an area after a freeway is built, and questioned if taxpayers can be expected to pay for these expenses.

Mr. Snyder again expressed his belief that no noise problems existed prior to the reconstruction of I-275 in 1999, and that the tining method used was an experiment that failed.

After some discussion on noise frequency, Chairman LaBelle asked the Department to provide additional data on this issue and tining of pavements.

One resident provided that capacity may have been decreased as traffic traveled alternate routes to avoid the deteriorating roadway, and increased when the roadway was repaired.

Maureen Miller-Brosnan, President of the Livonia City Council, believed the group that made the presentation at the last meeting had been successful in setting themselves apart from other communities with similar noise situations and deserved special attention. Ms. Miller-Brosnan expressed her belief that there were hundreds of homes established in the area prior to construction, and that subdivisions were in the process of being platted for the area. Other issues believed to set this group apart from others with noise issues is the road surface used in the area, the fact that the project was done under budget, and the belief that the money saved on this project should be applied to this section of roadway.

Commissioner Jackson explained that his remarks on residences present in 1975 were based on physical evidence of residences on the ground and not what was being platted. After some discussion on the options presented by the Department today, the Commissioner noted the CH2M Hill study shows there are relatively few sites that have decibel levels of 70-80 where noise walls would be effective. He recommended that before the noise wall policy is updated, a decibel-per-dollar measurement be established for each type of fix. This Commission realizes there is a problem, but needs to review this issue in more detail prior to making any decisions.

Chairman LaBelle commented that no significant solution can be made within this construction season so there is time for consideration of all options. The Commission is not trying to delay this issue, but wants to be able to make the right decision.

Jack Engebretson, Livonia City Council member, disagreed that there were only two dozen homes in the area when I-275 was built and noted that the noise problem did not exist until the reconstruction of I-275 in 1999. He suspects that the tining on the surface is a

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contributor of the noise problem, and does not believe that the zoning officials are responsible for any part of the problem. Mr. Engebretson also noted that the area police will be asked to monitor the speed of traffic in this area.

#### Recess

Chairman LaBelle recessed the meeting at 10:40 a.m. and reconvened the meeting at 10:55 a.m.

## **OVERSIGHT**

### Commission/State Administrative Board Contracts and Agreements (Exhibit A); Bid Letting Pre-Approvals (Exhibit A-1); Letting Exceptions (Exhibit A-2 & Supplemental A-2)

It was moved by Commissioner Wahby, with support from Commissioner Jackson, to grant approval to the Department to proceed with the contract process for Exhibits A, A-1, A-2 and Supplemental A-2. The motion carried on a unanimous voice vote.

### Information Items (Exhibit A-3)

This item was for information only and did not require approval by the Commission.

### Contract Adjustments

Gary Taylor, Chief Engineer/Deputy Director, Bureau of Highway Technical Services, reported on the contract extras and overruns, Exhibit B. Mr. Taylor also provided notification of road construction work on entrance/exit ramps on M-59, as part of the Squirrel Lake Road interchange project, to be contracted by means other than competitive bidding. This work was requested by the City of Rochester Hills as part of the trunkline interchange project.

It was moved by Commissioner Wahby, with support from Commissioner Garside, to approve the contract adjustments. The motion carried on a unanimous voice vote.

### Six-Month Financial and Internal Audit Follow-Ups

Jerry Jones, Commission Auditor, provided information on the Department's progress in closing out financial contract audits that were issued and have been outstanding for over 120 days, and the Department's implementation of internal audit recommendations.

Commissioner Wahby reported he has reviewed the two audit follow-up reports, and has also reviewed a letter from the Chief Administrative Officer updating him on the status of the Aeronautics' audit report. The Commissioner discussed a proposal to modify audit follow-up reporting, which would include an initial follow-up 90 days after the issuance of a new audit report. Subsequent follow-up reports would then be incorporated into the six-month follow-up reports, which should save the Department a considerable amount of paperwork. This process will be on a trial basis for the next two follow-ups.

Commissioner Wahby noted his appreciation of actions taken by the Department, to date, to complete the work to close audits; however, he further encouraged the Department to



implement the remaining open recommendations so that the audits can be closed out as soon as possible.

Director Rosine noted that some of the outstanding audits are related to individual county maintenance agreements and are in the process of being resolved. The Director also reported that audits regarding information management systems, and the Aeronautics audit report, have issues that are currently being resolved and noted the Department will try to close out future audits in a more timely manner.

A discussion ensued regarding negotiated county maintenance contracts. Commissioner Jackson requested the Department do a presentation jointly with the counties to discuss transportation issues and how relationships are evolving between the counties and the Department. Some of the issues to be included are jurisdictional transfers, funding, maintenance agreements, coordination of work, and the appropriations process.

It was moved by Commissioner Wahby to receive both reports as written.

## **RESOLUTIONS**

### **State Transportation Fund (STF) Bond Resolution**

Wayne Niles, Deputy Director, Bureau of Finance and Administration, reported on the two bond resolutions before the Commission for approval. The STF bond resolution will allow the Department to finalize the Build Michigan III bonds and sell the bonds under certain parameters as authorized in Act 51. If the sale of both STF and CTF bonds is within specific parameters, as set forth within the resolutions, with approval the Commission delegates authority to the Director to finalize the issuance of the bonds.

Chairman LaBelle requested Mr. Niles to report to the Commission, for information purposes, the net interest savings accomplished in this process.

It was moved by Commissioner Garside, with support from Commissioner Wahby, to approve the STF bond resolution as submitted. The motion carried on a unanimous roll-call vote.

### **Comprehensive Transportation Fund (CTF) Bond Resolution**

It was moved by Commissioner Jackson, with support from Commissioner Garside, to approve the CTF bond resolution as submitted. The motion carried on a unanimous roll-call vote.

Federal Section 5309 Equity Resolution (Resolution 2001-02)

Phil Kazmierski, Deputy Director, Bureau of Urban and Public Transportation, reported that within the Federal budget approximately \$2 billion is earmarked by Congress for rail facilities and rail modernization, and \$500 million for buses. This is an inequity between the amount of money available to buses versus the amount of money available to rail and this resolution asks Congress to equalize the levels between bus and rail.

It was moved by Commissioner Wahby, with support from Commissioner Garside, to approve Resolution 2001-02 as submitted. The motion carried on a unanimous voice vote.

MDOT Web Site Overview

Doug Couto, Office of Information Management, introduced Chuck Baird who explained MDOT's external web site. Existing services include information on a get-around guide, project sites, the car pool parking lot program, press releases, services centers, payment voucher status report, and the MiPARS program. New initiatives include transportation enhancement applications and transportation economic development system. Additional information is included on MDOT's five-year plan, and local agency programs and planning guides. Mr. Baird also suggested that MDOT is committed to future participation with e-Michigan and the state web portal.

**ADJOURNMENT**

Chairman LaBelle adjourned the meeting at 11:45 a.m.

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Commission Advisor